S.B. Criminal Misc. Bail Application No.3825/2006

Date : 01.09.2006

**HON'BLE MR.SATYA PRAKASH PATHAK, J.**

Mr. M.K. Garg for the applicant.

Mr. Vishnu Kachhawaha, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicant submits that in the present case the prosecutrix is major and married woman who accompanied the accused applicant and regarding sexual intercourse did not disclose it to any body for one month. He prays that the applicant may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant Ramesh son of Shanker Ji shall be released on bail in FIR No.173/2006 P.S. Chhoti Sadari, District Chittorgarh, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

**(SATYA PRAKASH PATHAK), J.**

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